

**Recommendation Report for Planning Permission**

**REF NO:** EP/21/12/

**LOCATION:** 47 North Lane  
East Preston

**PROPOSAL:** Demolition of existing garage, utility & w.c.; construction of new single storey side and rear extension to provide enlarged kitchen, utility room, shower room and study.

**SITE AND SURROUNDINGS**

|                             |                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION  | As above. The proposal involves the formation of an L-shaped extension that will wrap around the northern and eastern elevations, incorporating the existing sun room extension to the rear of the site.                                                                                                                               |
| SITE AREA                   | Approximately 460 square metres.                                                                                                                                                                                                                                                                                                       |
| RESIDENTIAL DEVELOPMENT DEN | N/A                                                                                                                                                                                                                                                                                                                                    |
| TOPOGRAPHY                  | Predominantly flat.                                                                                                                                                                                                                                                                                                                    |
| TREES                       | None affected by the proposed development.                                                                                                                                                                                                                                                                                             |
| BOUNDARY TREATMENT          | Low brick wall to the front boundary. Side and rear boundaries marked by a combination of approximately 1.8 metre high timber fencing and hedging.                                                                                                                                                                                     |
| SITE CHARACTERISTICS        | The site is occupied by a detached two-storey dwelling which has painted render elevation walls to the front and rear and red/brown brickwork to the side elevations. A single-storey flat roof garage extension has been added to the side and a further flat roof single-storey extension has been made to the rear of the dwelling. |
| CHARACTER OF LOCALITY       | The site is located on a residential road that is characterised by a linear arrangement of detached and semi-detached two-storey dwellings that are set back from the road with grass verging and landscaping to the front helping to produce a green, open and spacious character and appearance.                                     |

**RELEVANT SITE HISTORY**

None.

**REPRESENTATIONS**

**Representations received:**  
East Preston Parish Council  
No objection.

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**Comments on Representations received:**

Noted.

**CONSULTATIONS**

**Consultations responses received:**

None.

**Comments on Consultation responses:**

None.

**POLICY CONTEXT**

Designation applicable to site:

Within Built-Up Area

**DEVELOPMENT PLAN POLICIES**

Arun District Local Plan:

[GEN2](#)

[GEN7](#)

[DEV19](#)

Built-up Area Boundary

The Form of New Development

Extensions to existing residential buildings

**PLANNING POLICY GUIDANCE**

NPPF

National Planning Policy Framework

**SUPPLEMENTARY POLICY GUIDANCE**

EPDS

East Preston Village Design Statement by E P Parish Council

**POLICY COMMENTARY**

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

**OTHER MATERIAL CONSIDERATIONS**

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

**CONCLUSIONS**

The proposed extension will have a similar appearance, as seen from the street scene, as the existing garage extension does, being of similar height and width, whilst all over elements will be screened by the main building. It is therefore considered that the proposed extension would not

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adversely impact upon the character and appearance of the surrounding area.

It is considered that the proposed development will relate sympathetically towards the existing building in terms of design and scale. Although the footprint of the building will be increased, the modest height of the extension will ensure that it maintains visual subservience towards the host building and, by spreading the extensions around two aspects of the dwelling, the bulk and mass will be reduced.

The low profile of the extension, assisted by its single-storey nature and the use of a flat roof, will prevent it from appearing overbearing or overshadowing, despite being in close proximity to the northern site boundary. Further, views from new windows towards neighbouring property will be interrupted by existing site boundary treatment and, as such, will not bring about any undue overlooking impact. It is noted that the provision of a large flat roofed area, with parapet wall, may enable the roof to be used as a roof terrace and, given this observation, it is considered to attach a condition to any given approval to prohibit that use, in the interests of the amenities of neighbouring residents.

It is therefore recommended that the application is approved, subject to the following conditions.

#### **HUMAN RIGHTS ACT**

Human Rights Act 1998:

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article (right to respect for private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

#### **DUTY UNDER THE EQUALITIES ACT 2010**

Duty under the Equalities Act 2010

Following assessment, it is deemed that the proposed development would have a neutral impact upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

#### **RECOMMENDATION**

**APPROVE CONDITIONALLY**

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:-

850.01;  
850.02.a;  
850.03.a;  
850.04.a;

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining property in accordance with policy GEN7 of the Arun District Local Plan.

- 4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

#### SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

#### RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: NPPF

#### EAST PRESTON VILLAGE DESIGN STATEMENT

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.